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*Attorneys for Plaintiffs*  
*Horizon Healthcare Services, Inc., Horizon*  
*Healthcare of New York, Inc., and Rayant*  
*Insurance Company of New York f/k/a Horizon*  
*Healthcare Insurance Company of New York*

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

HORIZON HEALTHCARE SERVICES, INC., :  
HORIZON HEALTHCARE OF NEW YORK, :  
INC., and RAYANT INSURANCE :  
COMPANY OF NEW YORK f/k/a HORIZON :  
HEALTHCARE INSURANCE COMPANY OF :  
NEW YORK, :

Plaintiffs, :

v. :

LOCAL 272 LABOR MANAGEMENT :  
WELFARE FUND, :

Defendant. :

Civil Action No 08-cv-4428 (LTS)

**NOTICE OF MOTION FOR REMAND**

TO: Bruce Cooper  
Jane Lauer Barker  
Pitta & Dreier LLP  
499 Park Avenue  
New York, New York 10022

COUNSEL:

**PLEASE TAKE NOTICE** that, as soon as counsel may be heard, Greenberg Traurig, L.L.P., attorneys for Plaintiffs Horizon Healthcare Services, Inc., Horizon Healthcare of New

York, Inc., and Rayant Insurance Company of New York f/k/a Horizon Healthcare Insurance Company Of New York (collectively, "Horizon"), shall move before the Honorable Laura T. Sweet, United States District Court for the Southern District of New York, for an order, pursuant to 28 U.S.C. 1446 (c), remanding this case to the Supreme Court of New York, County of New York, and requiring Defendant Local 272 Labor Management Welfare Fund (the "Fund") to pay Horizon's reasonable attorneys fees in connection with this motion.

**PLEASE TAKE FURTHER NOTICE** that, in accordance with the Court's Individual Practices, the parties have used their best efforts to informally resolve the issues raised in this motion, including by exchanging correspondence outlining their respective positions and conferring telephonically following this exchange, but have been unable to arrive at any resolution.

**PLEASE TAKE FURTHER NOTICE** that in support of its motion, Horizon will rely upon the attached Memorandum of Law and Certification of Peter J. Gallagher.

**PLEASE TAKE FURTHER NOTICE** that Horizon requests oral argument unless no opposition is submitted.

Respectfully submitted,  
GREENBERG TRAURIG, LLP  
*Attorneys for Plaintiffs*  
*Horizon Healthcare Services, Inc., Horizon*  
*Healthcare of New York, Inc., and Rayant*  
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By s/ Joshua R. Pini  
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-and-

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Dated: June 26, 2008  
New York, New York